

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:15cr67-HTW-FKB

IRB BENJAMIN

**UNITED STATES OF AMERICA’S MOTION TO TRANSFER  
FUNDS TO THE UNITED STATES MARSHALS SERVICE**

The United States of America, by and through the United States Attorney and the undersigned Assistant U.S. Attorney for the Southern District of Mississippi, respectfully submits this Motion to Transfer Funds and advises the Court as follows:

1. On March 3, 2017, Defendant Irb Benjamin was sentenced to 70 months of confinement and 2 years supervised release. He was also ordered to pay a \$100 special assessment, a \$100,000 fine, and \$260,782 in forfeiture (money judgment); the fine and forfeiture were to be paid within 90 days. On April 20, 2017, Benjamin paid the \$100 special penalty assessment, the \$100,000 fine, and the \$260,782 money judgment to the Clerk of Court. The money judgment payment was entered as “Restitution Assets Forfeiture.” *See* Case Inquiry Report, Ex. A.

2. Rather than paying the Clerk of Court, Benjamin should have paid the \$260,782 to the seizing agency, which in this case is the Federal Bureau of Investigation. The FBI, in turn, would have processed the payment and turned it over to the United States Marshals Service, the primary custodian for forfeited assets.

3. The United States of America requests that the Clerk of Court prepare an official check in the amount of **\$260,782.00**, payable to the U.S. Marshals Service, with a notation that it is for Asset ID # **17-FBI-001700**.

Accordingly, the United States of America respectfully requests this Court enter an Order for the transfer of these funds from the Clerk of Court to the U.S. Marshals Service.

DATE: October 23, 2018

Respectfully submitted,

D. MICHAEL HURST, JR.  
*United States Attorney*

By: /s/ Marc A. Perez  
MARC A. PEREZ  
*Assistant United States Attorney*  
WA Bar No. 33907  
United States Attorney's Office  
501 East Court Street, Suite 4.430  
Jackson, Mississippi 39201  
Telephone: (601) 973-2820  
Facsimile: (601) 965-4032  
Email: Marc.Perez@usdoj.gov

**CERTIFICATE OF SERVICE**

I, Marc A. Perez, Assistant U.S. Attorney, hereby certify that, on this day, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent notification to all counsel of record.

Dated: October 23, 2018

/s/ Marc A. Perez  
MARC A. PEREZ  
Assistant United States Attorney